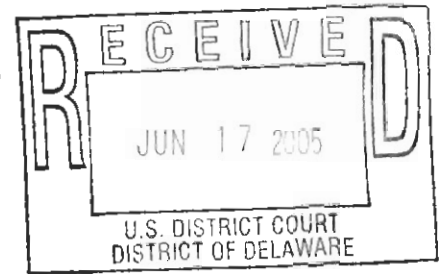


IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE



UNITED STATES OF AMERICA,

Plaintiff,

v.

IGNAZIO LENA,


Defendant.

CRIMINAL CASE NO. 89-49-3-JRR

NOTICE OF PENDING ACTION

COMES NOW, the above named Defendant, IGNAZIO LENA, by and through his undersigned counsel, and files this Notice of a Pending Action. The Defendant files this Notice of a Pending Action to inform the Court that his Motion for Resentencing Pursuant to Title 18 U.S.C. Section 3582, or in the Alternative, Pursuant to Rule 60(b)(6) of the Federal Rules of Civil Procedure has been pending in this Court for over a year. If the Court grants Defendant's Motion, he may be eligible for immediate release.

Respectfully submitted,


Robert G. Levitt, Esq.
Colorado Reg. 24252
Counsel for Defendant
600 17th Street
Suite 2800 South
Denver, Colorado 80202
(303) 377-9000

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was sent by first class mail this 14th day of June, 2005 to:

Richard Andrews, Esq.
Assistant United States Attorney
Office of the United States Attorney
1201 Market Street, Suite 1100
Wilmington, Delaware 19899-2046



Robert G. Levitt, Esq.



ROBERT G. LEVITT
ATTORNEY AT LAW
600 17TH STREET, SUITE 2800 SOUTH
DENVER, CO 80202

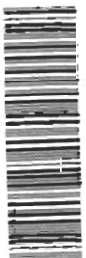
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